



COUNTY OF LOS ANGELES
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Acting County Counsel

May 7, 2009

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisor

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI 
Senior Assistant County Counsel

RE: **Estate of Michael Buford, et al. v. County of Los Angeles**
United States District Court Case No. CV 06-7940

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary, and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

JFK:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Estate of Michael Buford, et al. v. County of Los Angeles United States District Court Case No. CV 06-7940 in the amount of \$395,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from medical treatment received by an inmate while in the custody of the Sheriff's Department.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<u>Estate of Michael Buford, et al. v.</u> <u>County of Los Angeles</u>
CASE NUMBER	CV 06-7940
COURT	United States District Court
DATE FILED	January 15, 2008
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department ("LASD")
PROPOSED SETTLEMENT AMOUNT	\$395,000
ATTORNEY FOR PLAINTIFF	Robert Mann, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>Michael Buford, a 32-year-old male, was arrested and then placed in custody of LASD on September 7, 2005. Since Mr. Buford was complaining of respiratory problems, he was continuously examined and evaluated by LASD medical personnel.</p> <p>On September 23, 2005, LASD medical personnel ordered several laboratory screening tests. The tests were sent out to an outside laboratory and turned out to be positive. However, these test results were not communicated to LASD physicians.</p>

Mr. Buford continued to receive treatment for his lung infection at LASD and at LAC+USC Medical Center ("LAC+USC").

Mr. Buford's respiratory condition deteriorated further. He died on November 25, 2005, at LAC+USC. At LAC+USC, the cause of death was determined to be emphysema, and the Coroner Department's autopsy report concluded that the inmate died from Chronic Obstructive Pulmonary Disease.

The Estate of Mr. Buford, his mother and his son filed a lawsuit against the County of Los Angeles alleging negligence and violation of civil rights. The plaintiffs contended that the LASD medical personnel failed to provide adequate treatment to Mr. Buford.

PAID ATTORNEY FEES, TO DATE

\$233,465.34

PAID COSTS, TO DATE

\$41,983.86

Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	11/25/05 Date of death
Briefly provide a description of the incident/event:	A failure to review a positive human immunodeficiency virus (HIV) laboratory test resulted in the patient not receiving appropriate treatment. He expired on November 25, 2005, at the Los Angeles County + University of Southern California Medical Center.

1. Briefly describe the root cause of the claim/lawsuit:

Failure to timely process the laboratory results.

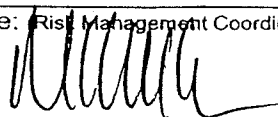
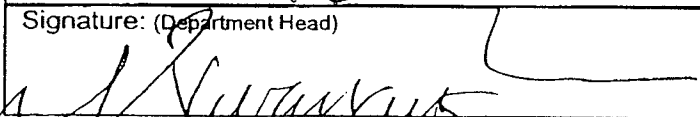
2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Effective July 12, 2006, an interim directive was established for Clinical Science Support Services personnel to call and fax all positive HIV reports to each facility.

A multi-year process was initiated to create an interface between the electronic medical record and the contract laboratory. On February 19, 2009, the interface was completed which allows the medical provider to review all laboratory reports electronically in the medical record.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 04/22/09
Signature: (Department Head) 	Date: 4/23/09